



DEC 10 2007

TRANSMITTALPATENT

Application No.: 10/765,325  
Filing Date: January 26, 2004  
First Named Inventor John Harvey III  
Examiner's Name: Tran, Vincent Huy  
Art Unit: 2115  
Attorney Docket No.: 04860.P1637C2

- An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
- Amendment/Response with respect to Office Action
- Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- Notice of Appeal
- RCE (Request for Continued Examination)
- Supplemental Declaration
- Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- Information Disclosure Statement (IDS)
- Copies of IDS citations
- Petition for Extension of Time
- Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- Cross-Reference to Related Application(s)
- Certified Copy of Priority Document
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Check(s)
- Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

TYPED OR PRINTED NAME: Eric S. Replublic

SIGNATURE:

REG. NO.: 52,161

DATE: 12/14/07

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Sunnyvale, CA 94085-4040

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on \_\_\_\_\_

Date of Deposit

Carla Anynia Nascimento

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**FEE TRANSMITTAL FOR FY 2007**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 310.00

Complete if Known:

Application No. 10/765,325  
 Filing Date January 26, 2004  
 First Named Inventor John Harvey III  
 Examiner Name Tran, Vincent Huy  
 Art Unit 2115  
 Attorney Docket No. 04860.P1637C2

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify)

 Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

 The Director is Authorized to do the following with respect to the above-identified Deposit Account:

- Charge fee(s) indicated below.
- Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
- Charge fee(s) indicated below except for the filing fee
- Credit any overpayments.
- Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code (\$)	
1011	310	2011 155	Utility application filing fee } 1,030/515
1111	510	2111 255	Utility search fee }
1311	210	2311 105	Utility examination fee }
1012	210	2012 105	Design application filing fee }
1112	100	2112 50	Design search fee }
1312	130	2312 65	Design examination fee }
1013	210	2013 105	Plant filing fee }
1113	310	2113 155	Plant search fee }
1313	160	2313 80	Plant examination fee }
1004	810	2004 405	Reissue filing fee }
1114	510	2114 255	Reissue search fee }
1314	620	2314 310	Reissue examination fee }
1005	210	2005 105	Provisional application filing fee }
<b>SUBTOTAL (1)</b>			<b>\$0.00</b>

## 2. EXCESS CLAIM FEES

### Fee Description

<u>Large Entity</u>	<u>Small Entity</u>
<u>Fee</u>	<u>Fee</u>
<u>Code</u>	<u>(\$)</u>
1202	50
2202	25
1201	210
2201	105
1203	370
2203	185
1204	210
2204	105
1205	50
2205	25

### Fee Description

Each claim over 20  
 Each independent claim over 3  
 Multiple dependent claims, if not paid  
 Reissue: each claim over 20 and more than in the original patent  
 Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims	– 20 or HP =	X \$ 50.00	= _____
HP = highest number of total claims paid for, if greater than 20			
Independent Claims	– 3 or HP =	X \$210.00	= _____
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims		_____	= _____
SUBTOTAL (2) \$ 0.00			

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additonal 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)	X \$ _____		

<u>Large Entity</u>	<u>Small Entity</u>
<u>Fee</u>	<u>Fee</u>
<u>Code</u>	<u>(\$)</u>
1081	260
2081	130
1082	260
2082	130
1083	260
2083	130
1084	260
2084	130

**Fee Description:** Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

Utility  
 Design  
 Plant  
 Reissue

SUBTOTAL (3) \$ 0.00

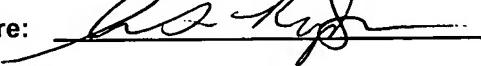
**FEE CALCULATION (continued)****4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>
<b>Non-English Specification, \$130 fee (no small entity discount)</b>		
Fee Code	Fee (\$)	
1051	130	2051 65 Surcharge - late filing fee or oath
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130 Non-English specification
1812	2,520	1812 2,520 For filing a request for ex parte reexamination
1813	8,800	1813 8,800 Request for inter parties reexamination
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action
1251	120	2251 60 Extension for reply within first month
1252	460	2252 230 Extension for reply within second month
1253	1,050	2253 525 Extension for reply within third month
1254	1,640	2254 820 Extension for reply within fourth month
1255	2,230	2255 1,115 Extension for reply within fifth month
1401	510	2401 255 Notice of Appeal
1402	510	2402 255 Filing a brief in support of an appeal
1403	1,030	2403 515 Request for oral hearing
1451	1,510	1451 1,510 Petition to institute a public use proceeding
1452	510	2452 255 Petition to revive – unavoidable
1453	1,540	2453 770 Petition to revive - unintentional
1501	1,440	2501 720 Utility issue fee (or reissue)
1502	820	2502 410 Design issue fee
1503	1,130	2503 565 Plant issue fee
1462	400	1462 400 Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463 200 Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464 130 Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)
1806	180	1806 180 Submission of Information Disclosure Stmt
8021	40	8021 40 Recording each patent assignment per property (times number of properties)
1809	810	2809 405 For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814 65 Statutory Disclaimer
1810	810	2810 405 For each additional invention to be examined (see 37 CFR 1.129(b))
1801	810	2801 405 Request for Continued Examination (RCE)
1802	900	1802 900 Request for expedited examination of a design application
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.
1505	300	1505 300 Publication fee for republication
1803	130	1803 130 Request for voluntary publication or republication
1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,410	1454 1,410 Acceptance of unintentionally delayed claim for priority
Other fee (specify) _____		
Other fee (specify) _____		
<b>SUBTOTAL (4) \$ 310.00</b>		

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Eric S. Replogle

Signature: 

Date: 12/4/07

Reg. Number: 52,161

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450